1929.

Department of Rev.

OFFICE Board of Rts

STATION Madras.

Mis **No.** 1851

K 4210/28

Dated 29-6-29

To whom sent	Date	Initial
C.M. S. Kanara.	Given for copying	
	Copied	
	Examined	
	Signed	
	Given for despatch	
	Despatched	
Pages in the file	Indexed	
	To be destroyed on*	

(SUBJECT.)

Alienation - Land + Rev (S. Kanara) - Mangalore t. k - Mavur village - S. No. 158/4 - school ground, well and garden - Parish of the Diocese of Mangalore - Sanctioned communicated

K4218 1

R.O.C.No.A6-6112-28. South Kanara Collector's Office,
Camp Gurpur, 15th August 1928.

From

C. G. Herbert, Esquire, I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Navur village - S.No.158/4 - school - Ponnengil church - Report submitted.

****

I enclose a sketch of S.No.158/4 of Navur village, Mangalore Taluk. The plot measures 1.53 acres and is registered in the Revenue accounts as assessed waste. It contains a school building put up by the Vicar of the Ponnengil church, which is a member of the Parish Union of the Diocese of Mangalore. The school has been recognised by the District Educational Council, South Kanara till the end of 1928. The Secretary of the Parish Union applies for the alienation of the plot in favour of the Parish Union for the purpose of the school.

2. The plot forms kumaki to the kadim lands S.Nos. 75/10 & 11 of the Ponnengil church and hence the value of the treegrowth on it may be waived.

3. The Parish Union is an alien body. Its Secretary has consented to abide by all the conditions of alienation. There is no objection to the alienation. I therefore recommend that the plot may be alienated to the Parish Union free of charge on account of occupancy right and free of assessment but subject to the following conditions.

(1) The land shall be used for the purpose of a school and for no other purpose.

V

(2) The Government may resume the land wholly or in part in the event of the infringement of any of these conditions or if the school is not recognised by the District Educational Council of South Kanara or by the Director of Public Instruction or if the recognition once granted is subsequently withdrawn or in case the Government are ------ satisfied that the school is not properly conducted or if in the opinion of Government, the land is required for a public purpose or for conducting mining operations.

(3) In the event of such resumption, if there are buildings on the land the Government may at their option either

(a) purchase the buildings

(b) allow the grantee to purchase the land at its value on the date of sale or

(c) direct the grantee to remove the buildings.

(4) In the event of the resumption of the land followed by the purchase of the buildings under 3 (a) or in the event of the acquisition of the land for any other reason, the compensation payable therefor shall in no case exceed the initial cost or the value at the time of the resumption or acquisition, which ever shall be less of any buildings, which may have been erected or other improvements executed on the land by the grantee in accordance with the terms of the grant.

(5) In the event of the grantee refusing to remove the buildings when so directed by Government in case of resumption, the Government may remove them and realise the cost of removal by the sale of the materials.

(6) In the event of the voluntary relinquishment of the land by the alienee no compensation shall be payable for the improvements that may have been effected or works executed on the land by the grantee.

4. A copy of the letter from the Secretary of the Parish Union agreeing to abide by the above conditions and

the alienation statements are enclosed.

Your obedient servant,

For Collector.

****

The Parish Union of the
Diocese of Mangalore.

Bishop's House,
Mangalore, 3rd Aug.1928.

R.O.C.A6-6112-28.

From

The Rt. Rev. Mgr. V.R. Fernandes,
Secretary, the Parish Union of the
Diocese of Mangalore, Bishop's House,
Kodialbail P.O.

To

The Collector of South Kanara,
Mangalore.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Navur village - S.No.158/4 (1.53 acres) - school - Ponnengil church.

****

With reference to your above communication dated 27th July 1928, I have the honour to state that the Parish Union of the Diocese of Mangalore is willing to have the plot ----- S.No.158/4 of Navur village measuring 1.53 acres alienated to it for the purpose of a school subject to all the conditions of alienation subjoined in your above-mentioned communication.

I have etc.,

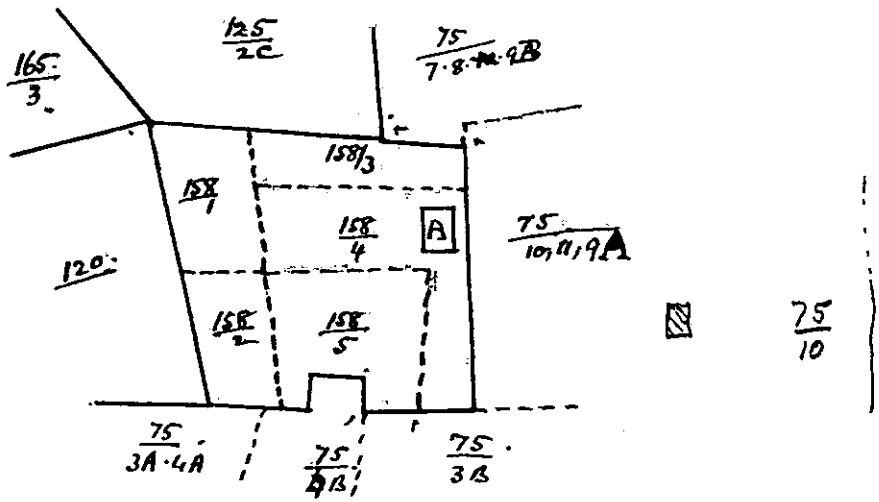
(Sd) V. R. Fernandes,
Secretary, Parish Union.

****

M.D'S.16/8.

District. South Kanara
Taluk. Mangalore. Eyesketch.

4 ~~10~~ Village } No 165
Name. Navoor



Roughly scale 1/5 inch = One chain

S. Nos.

75/3A·4A (32) Kadim land of Mahiddin mosque.
158-2 " Hosagne land of —— do ——.
75/10·11·9A. (59) Kadim land of Ponnangil church.
75/7·8·9B (9) " . Simon Padvala.
158/3, 75/9B " Hosagne land of —— do ——.
120. (1) Kadim land of Gummanna Shetty.
165/3, 158/1 " Hosagne land of —— do ——.
158/4, 125-2C Assessed wastes.

P. J. O.

25 b 75/3B-4B (2) Kadim land of Shrinivasacharya.

158-5 " Hosagani land of —— do —— " "

A. 1 Building for a School which is being built by Ponnangil church Vicar.

U. D. Vittal Day
24.9.27
Manbhogani

Application for alienation of Land Revenue payable to Government - South Kanara District.

****

1.	Description & area:	S.No.158/4 of 145 Navur village, Mangalore Taluk measuring 1-53 acres.
2.	Annual assessment:	Rs. 0-12- 0
	Capitalized value:	Rs.18-12- 0
3.	Alienees and purpose of alienation:	Parish Union of the Diocese, Mangalore for the purpose of a school.
4.	Collector's remarks:	Vide Covering letter.

****

South Kanara Collector's office,
Camp Gurpur, 15th August 1928.

For Collector.

M.D'S.16/8.

Application for the alienation of Land in which the proprietary right belongs to the' State, South Kanara District.

****

1. Description and area:	S.No.158/4 of 145 Navur village, Mangalore Taluk, measuring 1-53 acres.
(a) ~~Freehold:~~ ~~2. Value~~	~~Rs.95- 4- 0~~
(b) ~~Subject to~~ ground rent, or assessment: Market Value	Rs.76- 8- 0
3. Alienees and purpose of alienation:	Parish Union of the Diocese, Mangalore for the purpose of a school.
4. Collector's remarks:	Vide Covering letter.

****

South Kanara Collector's office,
Camp Gurpur, 15th August 1928.

For Collector.

M.D'S.16/8.

A.S.(L.R)

R. 31-10-28.

R. 15-11-28

R. 3-12-28

The Parish Council body (vide Collrs at pp 1-2 of (F))

DESPATCHED 1-SEP 1928

Alienation - Land & Rev. (S. Kanara) Mangalore Tk - Navur village - S. No. 158-4 - School - Parish Union of the diocese of Mangalore.

K. 4210-9

Ref. K. 4210-28-1 & 27-8-28.

The Collr is requested to report (a) the circumstances in which the school building came to be constructed before the site on which it stands was alienated.

~~2~~. The Collr is also requested to report on the following points

(b) ~~what extent~~ to extent of the site ~~is~~ occupied by the school building

(c) whether the Parish Union proposes to set apart any portion of the site for other purposes and if so, what ~~the~~ purposes and what extents ~~required~~ for each of them

and (d) ~~what is~~ the amount of tree-value which the Collr.

recommends to be waived.

3/. The Coll is also requested to ascertain and report whether the Parish Tenure is willing to abide by the following addl Conditions

(a) No building other than the one already existing for the school shall be constructed on the land without the previous permission of the Coll.

(b) Full assessment shall be levied if at any time as net income is derived from the grant.

4/. A plotted sketch in duplicate of the sites proposed for alienation should also be submitted.

25.8.28

25.8.28

To the Coll of S. Kanara.

LO 147358

R.O.C.No.6112-28-A6. South Kanara Collector's Office,

Camp Mudabidri 28 11. 1928.

From

G.W. Wells, Esquire, M.A., I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue and Settlement,

Madras.

Sir,

Alienation - Land and Revenue - (South Kanara) - Mangalore Taluk - Navur village - S.No.158/4 - School - Parish Union of the diocese of Mangalore.

Jpp 8 49 Cf Board's Ref. K.No.4210/28-1, dated 27th August 1928.

*****

The several points raised by the Board in paragraph 1 of its reference are replied to seriatim below:-

(a) The plot in question was encroached upon by the Vicar of Ponnangila Church by building a school house thereon. Encroachment proceedings were instituted by the Deputy Tahsildar, Bantwal and consequently a notice under section 6 of the Land Encroachment Act was issued by the Revenue Divisional Officer, Mangalore. Against this notice, the encroacher appealed to the Collector, who refused to assign the plot, but allowed the encroachment to stand, on condition that the Vicar gave his consent to have the plot alienated in favour of the Parish Union of the diocese of Mangalore for the purpose of the school. The Vicar has agreed to this and hence the alienation proposals.

(b) The actual extent occupied by the present school building is one cent and a half.

(c) The Parish Union proposes to have a well, a play-ground

and a school garden in addition to the school house and appurtenances. The particulars of the extents proposed by the Union to be set apart for each are given in the margin.

	A. C.
(i) School building and yard around.	0-25
(ii) Well and yard around.	0-02
(iii) Play-ground.	1-22
"(iv) School garden.	0-04
Total	1-53

(d) As the plot forms kumaki to the kadim lands of the church, no seigniorage is leviable. The tree growth which consists of cashew and mango trees, existing on the plot is valued at Rs.5-13-8.

2. The Parish Union is willing to abide by the two additional conditions referred to by the Board as also by the condition that "no part of the land set apart for the play-ground and garden shall, in any way, be built upon without the previous sanction of the Collector." Copies of the letters dated 10.9.1928 and 26.11.1928 received from the Secretary of the Union in the matter are enclosed. p12 cf

p9 cf

3. A plotted sketch in duplicate of the site proposed for alienation is submitted. pp13+14 cf

Your obedient servant,

For Collector.

Copy of letter dated 10th September 1928 from Rt. Rev. Mgr. V.R. Fernandes, Secretary, Parish Union of the Diocese of Mangalore, Mangalore, to the Collector of South Kanara.

Alienation - Land and Revenue - Mangalore Taluk - Navur village - S.No.158/4 (1.53 acres) - School - Ponnegil Church -

additional conditions.

Your letter R.O.C. A6-6112-28.

*****

The Parish Union on careful consideration is willing to abide by the additional two conditions of alienation laid down in your communication in respect of the above plot.

2. The Parish Union does not propose to set apart any portion of the plot for purposes other than of the school viz. school building, well, play-ground and school garden which will be gradually put in operation.

Copy of letter dated 26th November 1928 from Rt. Rev. Mgr. V.R. Fernandes, Secretary, Parish Union of the Diocese of Mangalore, to the Collector of South Kanara.

Alienation - Land and Revenue - Mangalore Taluk - Navur village - S.No.158/4 - School, play-ground etc. - Parish Union of the Diocese of Mangalore - Letter dated 20th November 1928.

*****

By appurtenances I mean the yard on the four sides of the school building.

We do not intend to utilise any portion of the plot for teachers' quarters.

The Parish Union is willing to abide by the condition that "no part of the land set apart for the play-ground and garden shall in any way be built upon without the previous sanction of the Collector.

Alienation - Land & Revenue - ~~Buildings~~

South Kanara) Mangalore Taluk Navoor ~~town~~

village ~~or town~~ S.No. 158/4 - school, playground, well and garden - Parish Union of the Diocese of Mangalore / Recommended ~~Sanctioned~~..

11 Annas Stamps

Reference k.4210-28-2 dt 7-1-29
~~Resolution~~

At the instance of the Collector of S. Kanara the Board recommends ~~sanctions~~ the alienation of the plot of land comprised in S.No. 158/4 of Navoor village Mangalore Taluk measuring Ac. 1.53 in favour of the Parish Union of the Diocese of Mangalore for the ~~use~~ purposes specified in the margin ~~as the site of~~.

1) School building and yard around	A.C. 0.25
2) well & yard around	0.02
3) Playground	1.22
4) School garden	0.04
Total	1-53

2. The site proposed for alienation is registered ~~regd~~ in the accounts as assessed waste and measures 1.53 acres. There is already a school built on 1½ cents of the site. ~~The circumstances under which it was built are as follows~~ The Vicar of Ponnangila church encroached on the site by building the school when the R.I. issued a notice to him under Sec. 6 of the Land Encroachment Act he appealed to the Collr who ~~refused~~ declined to assign the plot, but allowed the encroachment to stand on condition that the Vicar gave his consent to ~~lease the plot~~ the alienation of the land in favour of the Parish Union of the Diocese of Mangalore for the purpose of the school. The Vicar has agreed to this. The Collr now recommends the alienation.

There are trees worth Rs 5-13-8 on the site and the Collr recommends that their value may be waived for the reason that the plot forms a kumaki to the Kadim lands of the Ponnangil church and that no seigniorage is leviable. The Board supports the Collr's recommendation.

The Parish Union is a registered ~~regd~~ body.

3. The alienation will be free of charge for the occupancy right and free of ~~assessment~~ groundrent ~~(but subject to assessment which will be liable to revision at every resettlement and subject to the payment of Rs.~~ being ~~the value of the trees standing on the land and~~ subject ~~also~~ to the following conditions ~~to which the alinee has agreed~~.-

(i) the land shall be used for the purpose specified above and for no other purposes;

(ii) No building other than the one already existing for the school shall be constructed on the land without the previous permission of the Collr.

(iii) No part of the land set apart for the play-ground and garden shall, ~~in any way~~, be built upon without the previous sanction of the Collr.

(iv) If there are buildings so constructed with permission, compensation shall be payable as usual.

(v) If buildings are constructed in violation of condition (iii) the land with buildings shall be resumed without any compensation whatsoever

(vi) The Government may resume the land wholly or in part with the buildings thereon in the event of the ~~infringement~~ infringement of any of the conditions of the grant ... if the school is not recognized or if the recognition once granted is subsequently withdrawn or if in the opinion of the Government the land is required for a public purpose or for conducting mining operations.

(vii) In the event of such resumption, if there are buildings on the land, the Government may at their option either.

(a)

(a) purchase the buildings, or

(b) allow the grantee to purchase the land at its value on the date of sale, or

(c) direct the grantee to remove the buildings.

(VIII) In the event of the resumption of the land followed by purchase of the buildings under clause (VII) (a) or in the event of the acquisition of the land for any other reason, the compensation payable therefor shall in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever shall be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

(IX) In the event of the grantee refusing to remove the buildings when so directed under clause (VII) (c) the Government may remove them and realise the cost of removal by the sale of the materials.

(X) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee at ~~his~~ its cost.

(XI) Full assessment shall be levied, if at any time a net income is derived from the ~~grant~~ land

4/ The Parish Priest has agreed to all the Conditions except (IV) & (V). The Collr is requested to obtain and submit its Consent to these Conditions also. He is also requested to report the head-qrs of the Parish Priest both inside and outside India: 7.1.29

Issue B. 7-1-29

hs 5.1.29 B 5-1-29

To the Secretary to Government, Revenue Department, with alienation statements and ~~a~~ sketches three D.P.I.

Copy to " Collector of S.Kanara. (Pp. 13.14 of enclosure (Pp.6-7 of to be copied)

4 5- 10 K1167

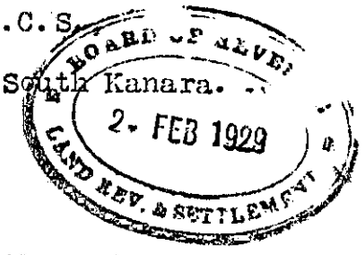
Ref.No.6112-28-A6. South Kanara Collector's office,

Camp Udipi, 29th January 1929.

From

G. W. Wells, Esquire, M.A., I.C.S.,

Collector of South Kanara.



To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Navur village - S.No.158/4 - school, play ground, well and garden - Parish Union of the Diocese of Mangalore.

******

Board's Reference No.K.4210/28-2, dated 7th January 1929.

******

A copy of the letter dated 22nd January 1929 received from the Secretary, Parish Union of the Diocese of Mangalore containing the information called for in para 4 of the Board's Reference is herewith submitted.

Your obedient servant,

For Collector.

at 31.1.29.

M.D'S.31/1.

K.1167—9 & 16 cf

Ref k.4210-28-3 dt 4-2-29.

In continuation of ~~Ref~~ Refce k 4210-28-2 dt 7-1-29, the Board submits that the Parish Union of the diocese of Mangalore has agreed to conditions (iv) & (v) also.

2/. The Head-qrs of the Parish Union is at Mangalore. It has no ~~H~~ quarters outside India.

The Secy to Govt

Ref.No.6112-28-A6. Bishop's House,

Mangalore, 22nd January 1929.

To

The Collector of South Kanara,

Mangalore.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Navur village - S.No.158/4 - school - play ground, well and garden - Parish Union of the Diocese of Mangalore - Further conditions.

Your letter dated 11th January 1929.

The Parish Union is willing to abide by the following additional conditions:--

(1) If there are buildings constructed on the land set apart for the play ground and school garden after obtaining the previous sanction of the Collector, compensation shall be paid as usual and

(2) If buildings are constructed in violation of the condition agreed to in my letter dated 26th November 1928 the land with buildings shall be resumed without any compensation whatsoever.

The head quarters of the Parish Union is at the Bishop's House, Mangalore, Kodialbail Post office, South Kanara. The Parish Union has no other quarters any where else in or outside India.

I have &c.,

(Sd) V. R. Fernandes,
Secretary, Parish Union.

****

M.D'S.31/1.

M.NO.

H.G. Stokes Esqr C.S.I. I.E.S. I.C.S
COMMISSIONER OF LAND REVENUE

REFERENCE NO. K 4210-28-4 dt 8-MAY 1929

The Board requests the orders of Government on its reference noted below.

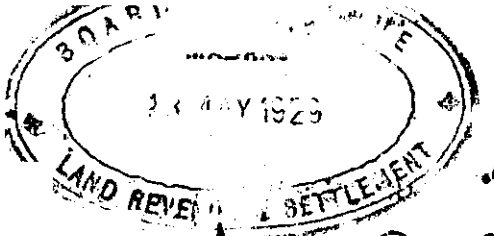
N Kotreshe
7.5.29.
For Secretary.

To the Under Secretary to Government, Rev. Department
REFERENCE NO. K 4210-28-2 dt. 7-1-29 &
SUBJECT.- 4210-28-3 dt 4-2-29.

Alienation - land & Rev (South Kanara) Mangalore Taluk Mavur village - S. No. 158/2 School, Play-ground well & garden - Parish Priest of the Diocese of Mangalore

NS
6.5.29 CS
6.5.29

17



K.3884 Rev Dept

Bds
13 MAY 1929

Endt No. 444F/29 dt. 11-5-29

The subject is under the consideration of the Govt.

Cs
10/5/29

(By order) C.M.M.E...
Assistant Secretary
to Govt

CDb
10-5-29

To A.S.(L.R.)

To the Board of Revenue
Land Res + Settlement.

The Govt may be reminded again two months hence

RG
15.5

BVS/10/5-

Sectt. II-15 (a)—86,000—21-1-29.

Received 27 JUN 1929 192 Registered K. 5135 192

Abstract.

27 JUN. 1929

Alienation - Land and Revenue - (South Kanara) - Mangalore taluk - Navur village - S.No.158/4 - School, play-ground, well and garden - Parish Union of the Diocese of Mangalore - Sanctioned.

R.S.(L.R) Res(Mis) 1851/29.6.29.

Communicated to the Collr of S.Kanara with reference to the correspondence ending

To the Collr of S.Kanara with his letter Ref No.6112-28-A6 & 29-1-29

R E V E N U E DEPARTMENT.

G.O. No. Mis. 1242, , dated the 25th June 1929.

ENCLOSURES.

No.....

.....

READ the following paper:—

From the Board of Revenue, Land Revenue and Settlement, Ref.No. K.4210/28-2, dated the 7th January 1929.

From the Board of Revenue, Land Revenue and Settlement, Ref.No. K.4210/28-3, dated the 4th February 1929.

From the Director of Public Instruction, Madras, R.C.No.44 B/29, dated the 6th April 1929.

*****

O R D E R.

The Government sanction the alienation of Ac. 1-53 of land in S.No.158/4 of Navur village, Mangalore Taluk, South Kanara district, in favour of the Parish Union of the Diocese of Mangalore for the purposes specified below:-

		Ac.	Cents.
(1)	School building and yard around. ...	0	25
(2)	Well and yard around.	0	02
(3)	Play ground.	1	22
(4)	School garden.	0	04
	Total.	1	53

2. The alienation will be free of charge for the occupancy right and free of assessment but subject to the

following conditions:-

(1) The land shall be used for the purposes specified above, and for no other purposes.

(2) No building other than the one already existing for the school shall be constructed on the land without the previous permission of the Collector.

(3) No part of the land set apart for the play-ground and garden shall be built upon without the previous sanction of the Collector.

(4) If there are buildings so constructed with permission, compensation shall be payable as usual.

(5) If buildings are constructed in violation of condition (3) the land with buildings shall be resumed without any compensation whatsoever.

(6) The Government may resume the land wholly or in part with the buildings thereon in the event of the infringement of any of the conditions of the grant, or if in the opinion of the Government, the land is required for a public purpose or for conducting mining operations.

(7) In the event of such resumption, if there are buildings on the land, the Government may at their option, either (a) purchase the buildings,

or (b) allow the grantee to purchase the land at its value on the date of sale,

or (c) direct the grantee to remove the buildings.

(8) In the event of the resumption of the land followed by purchase of the buildings under clause (7)(a), or in the event of the acquisition of the land for any reason the compensation payable therefor shall in no case, exceed the initial cost, or the value at the time of the resumption or

the

22

the acquisition, whichever shall be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

(9) In the event of the grantee refusing to remove the buildings, when so directed under clause (7)(c), the Government may remove them and realise the cost of the removal by the sale of the materials.

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payble for any improvements that may have been effected, or other works that may have been executed on the land by the grantee at its cost.

(11) Full assessment shall be levied if at any time a net income is derived from the land.

(By Order of the Governor in Council)

H.R. Pate,

Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement.

To the Law (Education) Department.

*****

F O R W A R D E D.

(By Order)

A. S. Michael
26.6.29
Superintendent.

V:K/26-6.

M1

$

A.S(A/R)

Alienation – Land & Rev – (Kanara South) – Mangalore TK – Navuru (V) – S. no. 158/4 – School etc – Parish Unim of the Diocese of Mangalore

pp 1 & 2 cf.

4210

pp 8 + 9 cf

Ref IC. 4210-28-I & 27.8.28

pp. 10 & 11 cf.

IC. 7358

To asstt s

The Colr of South Kanara has submitted proposals for the alienation of 1-53 acres of land in S. no. 158/4 in favour of the Parish Unim of the Diocese of Mangalore for the purpose of a School, well, playground and school garden. There is already a school built on 1½ cents of the site. The circumstances in which the building was erected on the land have been stated by the Colr at p 10 cf. The various purposes for which the land is required & the extent to be set apart for each of them have been detailed at page 11 cf. The Parish Unim is a registered body and has agreed to abide by the conditions of alienation. The alienation proposed by the Colr may be recommended to Govt.

p 2 (1)

pp 3 & 12 cf.

12 17.12.

17.12

p 11 cf

There are trees worth Rs 5-13-8 on the site & the Colr recommends that their value may be waived for the reason that the plot forms ~~part of~~ Kumaki to the Kadim lands

of the Ponnengil church & that no seigniorage is leviable. His recommendation may be approved.

17.12.28

HB
14/12

B
15.12.28

Please draft
B
3.1.29

A.S. (L.R)

To A.S.

Draft submitted

7.1.29.

MS
5.1.29

B
5.1.29

A.S. (L.R)

Bds Refee of 7.1.29 – Issues

K. 1167-29

Pp 13-15 cf

P 16 cf

To A.S. (L.R)

Draft submitted

2.2.29.

MS
2.2.29

B
2.2.29